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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 2084.7 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/580638</b>
INTERNATIONAL APPLICATION NO. PCT/CH2004/000688	INTERNATIONAL FILING DATE 15 November 2004 (15.11.2004)	PRIORITY DATE CLAIMED 28 November 2003 (28.11.2003)
TITLE OF INVENTION METHOD FOR PRODUCING {N-[1-(S)-CARBALKOXY-3-PHENYLPROPYL]-S-ALANYL-2S, 3AR, 7AS-OCTAHYDROINDOLE-2-CARBOXYLIC ACID} COMPOUNDS		
APPLICANT(S) FOR DO/EO/US POGUTTER, Mirko; RUDOLF, Felix; BICHSEL, Hans-Ulrich and BADER, Thomas		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/580638</b>		INTERNATIONAL APPLICATION NO. PCT/CH2004/000688		ATTORNEY'S DOCKET NUMBER 2084.7	
20. Other items or information: Search Report; Return Receipt Postcard					
The following fees have been submitted				<b>CALCULATIONS      PTO USE ONLY</b>	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$ 200.00	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
All other situations..... \$200					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))				\$ 500.00	
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations..... \$500					
<b>TOTAL OF 21, 22 and 23 =</b>				1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
28 - 100 =	-72 /50 =		x \$250	\$ 0.00	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 - 20 =	0	x \$ 50	\$ 0.00	
Independent claims	3 - 3 =	0	x \$200	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				0.00	
<b>SUBTOTAL =</b>				\$ 1,000.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ 0.00	
<b>TOTAL NATIONAL FEE =</b>				\$ 1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1,000.00	
				Amount to be refunded:	\$
				Amount to be charged	\$

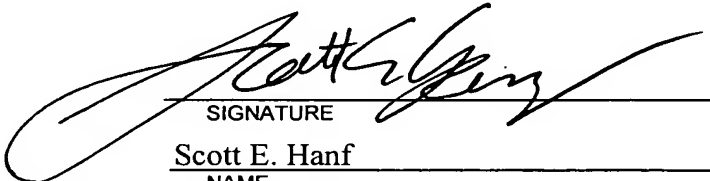
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- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 08-2447 in the amount of \$ 1,000.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-2447. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Scott E. Hanf  
Hammer & Hanf, P.C.  
3125 Springbank Lane  
Suite G  
Charlotte, NC 28226

  
\_\_\_\_\_  
SIGNATURE  
Scott E. Hanf  
\_\_\_\_\_  
NAME  
38,906  
\_\_\_\_\_  
REGISTRATION NUMBER

10/580638

RECEIVED PCT/PTO 25 MAY 2006

Attorney Docket No. 2084.7

PATENT

IN THE UNITED STATES RECEIVING OFFICE (RO/US)

In re Application of:  
Mirko Pogutter, et al

International Application No. PCT/CH2004/000688

International Filing Date: November 15, 2004

Priority Date: November 28, 2003

For: METHOD FOR PRODUCING {N-[1-(S)-CARBALKOXY-3-PHENYLPROPYL]-  
S-ALANYL-2S, 3AR, 7AS-OCTAHYDROINDOLE-2-CARBOXYLIC ACID}  
COMPOUNDS

**CERTIFICATION OF EXPRESS MAILING DATE**

Mail Stop PCT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Express Mail Label No. **EQ242865618US**

Date of Deposit: **May 25, 2006**

I hereby certify that the attached correspondence comprising:

1. Transmittal Letter to U.S. Designated/Elected Office
2. English Language Translation of International Application
3. Information Disclosure Statement Form PTO/SB/08a (with foreign references)
4. Preliminary Amendment
5. International Search Report
6. Return Receipt Postcard

is being deposited with the United States Postal Service, in an envelope "Express Mail Post Office to Addressee," bearing Label Number EQ242865618US and is addressed to: Mail Stop PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

  
Janice B. Davis